



## **REGULAR AGENDA OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY AND DOWNTOWN FOUNDATION BOARD**

**CLOSED SESSION MEETING  
BEGINS AT 3:00 P.M. IN THE  
STUDY SESSION ROOM FIRST FLOOR  
68-700 Avenida Lalo Guerrero  
Cathedral City, CA 92234**

**WEDNESDAY, JUNE 28<sup>TH</sup>, 2006**

**Closed Session – 3:00 P.M. followed by Study Session at  
Approximately 5:00 P.M.  
Regular Meeting - 6:30 P.M.  
(Or As Soon Thereafter as the Meeting May be Commenced)**

**Copies of each current agenda will be available in the City Hall Lobby Thursday afternoon prior to the scheduled Council meeting. A copy of the complete agenda book is also available for public review in the City Hall Lobby on that same schedule. If you have any additional questions or need further information on any of the following items, please contact the Deputy City Clerk at 770-0322 between the hours of 7:00 a.m. and 6:00 p.m. Monday through Thursday. PLEASE REMEMBER THAT CITY HALL IS CLOSED EVERY FRIDAY.**

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office at (760)-770-0385. Assisted listening devices are available at this meeting. Ask the City Clerk if you desire to use this device. Notification of at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring that reasonable arrangement can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection at the Office of the City Clerk, during regular business hours 7:00 a.m., to 6:00 p.m., Monday – Thursday.

### **CALL TO ORDER**

- a) Roll call of City Council/RDA/Downtown Foundation Board Member(s)
- b) Action to excuse absent City Council/RDA Member(s)

### **PUBLIC COMMENTS**

During this part of the meeting, the public is invited to address the City Council with respect to any matter that is on this closed session agenda and offer public comment by stepping to the lectern and giving his/her name and City of residence for the record. Unless additional time is authorized by the City Council, **remarks on agenda items shall be limited to three**

minutes.

In response to any public comment on an item or matter which **has not been placed on this Agenda** pursuant to Government Code Section 54954.2, members of the City Council and/or the Redevelopment Agency Board may only: **1)** briefly respond to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** take action to direct staff to place a matter of business on a future Agenda. (California Government Code Section 54954).

c) The City Council will now adjourn to closed session.

Following the Closed Session meeting, the council will convene to the Council Chambers on the third floor for the Study Session and Regular Meeting.

### **CLOSED SESSION AGENDA**

|           |  |   |
|-----------|--|---|
| <b>1.</b> | CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. <b>(Jan Davison)</b> |   |
|           | Property Location:   | Northerly of East Palm Canyon Drive bounded by Cathedral Canyon Drive to the west, Avenida Lalo Guerrero to the north and Monty Hall Drive to the east and that certain real property located southerly of East Palm Canyon Drive, bounded by Van Fleet to the East, B Street to the South and Cathedral Canyon Drive Avenue to the west excluding therefrom that certain property bounded by A Street to the north, West Buddy Rogers Avenue to the east, B Street to the south and Cathedral Canyon Drive to the west |
|           | Negotiating Parties  | Cathedral City Redevelopment Agency and Tri-Millennium Cathedral City LLC.  |
|           | Property Owner:  | Cathedral City Redevelopment Agency   |
|           | Under Negotiation:   | Property Negotiations.  |

  

|           |   |  |
|-----------|---|--|
| <b>2.</b> | CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. |  |
|           | Property Location:  | Northwest corner of Landau and Vista Chino<br>APN# 677-214-038 |
|           | Negotiating Parties   | City of Cathedral City, Sol Wynar and MDI West                 |
|           | Property Owner:   | Sol Wynar  |
|           | Under Negotiation:  | Property Negotiations  |

|           |   |   |
|-----------|---|---|
| <b>3.</b> | CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. |   |
|           | Property Location:  | 37101 West Buddy Rogers   |
|           | Negotiating Parties   | City of Cathedral City, Redevelopment Agency and Tierra Del Sol |
|           | Property Owner:   | City of Cathedral City  |
|           | Under Negotiation:  | Property Negotiations Lease                                     |

|           |   |   |
|-----------|---|---|
| <b>4.</b> | CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. |   |
|           | Property Location:  | APN#s 673-140-010, 011, 012, 013 and 017                |
|           | Negotiating Parties   | City of Cathedral Redevelopment Agency and Sam Stickles |
|           | Property Owner:   | Sam Stickles  |
|           | Under Negotiation:  | Property Negotiations                                   |

|           |   |  |
|-----------|---|--|
| <b>5.</b> | CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. |  |
|           | Property Location:  | Area bounded by North Cathedral Wash, Date Palm Drive, East Palm Canyon, and Monty Hall. |
|           | Negotiating Parties   | Redevelopment Agency and Cathedral City Town Center Venture                              |
|           | Property Owner:   | Cathedral City Redevelopment Agency  |
|           | Under Negotiation:  | Property Disposition   |

|           |   |  |
|-----------|---|--|
| <b>6.</b> | CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. |  |
|           | Property Location:  | 67923 and 67751 East Palm Canyon Drive<br>APN#s 687-030-010 and 687-030-056        |
|           | Negotiating Parties   | Cathedral City Redevelopment Agency and Wes Hinkle, Cathedral City Properties, LLC |
|           | Property Owner:   | Cathedral City Redevelopment Agency  |
|           | Under Negotiation:  | Property Negotiations.   |

|           |   |  |
|-----------|---|--|
| <b>7.</b> | CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. |  |
|           | Property Location:  | 677-410-009  |
|           | Negotiating Parties   | Cathedral City Redevelopment Agency and Southern California Housing Development Corp |
|           | Property Owner:   | Cathedral City Redevelopment Agency  |
|           | Under Negotiation:  | Disposition of Property  |

|           |   |   |
|-----------|---|---|
| <b>8.</b> | CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION pursuant to Government Code Section 54956.9. (b) |   |
|           | No. Potential Cases:  | 1 |

|           |  |  |
|-----------|--|--|
| <b>9.</b> | CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9. (a) |  |
|           | Case Name:   | M. Justice v. City of Cathedral City                               |
|           | Case No.   | RIC 451297, Riverside County Superior Court ,<br>Riverside Branch. |

  

|            |   |  |
|------------|---|--|
| <b>10.</b> | CONFERENCE WITH LABOR NEGOTIATION pursuant to Government Code Section 54957.6 |  |
|            | Agency Negotiator   | Donald Bradley, City Manager   |
|            | Represented Employees   | <b>1)</b> Cathedral City Police Officers Association (CCPOA)<br><b>2)</b> American Federation of State, County and Municipal Employees. (AFSCME)<br><b>3)</b> Cathedral City Fire Management Association (CCFMA)<br><b>4)</b> Cathedral City Professional Fire Association (CCPFA) |

## **STUDY SESSION AGENDA**

### **INVOCATION**

### **FLAG SALUTE**

**STUDY SESSION** (Normally, no action is taken on Study Session items; however, the City Council does reserve the right to give specific policy direction and to take specific action as necessary.)

**Presentations will be limited to 10 minutes unless other provisions are made in advance.**

1. Interview of applicants to serve on various City Commission/Committees. (City Council)  
(For materials, please referenced page one of regular agenda section).
2. City Council/Staff reports and inquires of new or ongoing projects.

## **REGULAR MEETING AGENDA**

### **CALL TO ORDER**

### **CLOSED SESSION ANNOUNCEMENTS**

### **PUBLIC COMMENTS**

During this part of the meeting, the public is invited to address the City Council, and/or the Redevelopment Agency on any matter **not on the Agenda** or any item on the **Consent Agenda** by stepping to the lectern and giving his/her name and City of residence for the record. Unless additional time is authorized by the City Council, **remarks on agenda items shall be limited to three minutes. If you wish to speak on an agenda item, please wait to be recognized under that item.**

In response to any public comment on an item or matter which **has not been placed on this Agenda** pursuant to Government Code Section 54954.2, members of the City Council and/or the Redevelopment Agency Board may only: **1)** briefly respond to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** take action to direct staff to place a matter of business on a future Agenda. (California Government Code Section 54954).

### **AGENDA FINALIZATION**

At this time, the City Council and/or the Redevelopment Agency Board may announce any items being pulled from the Agenda or continued to another date.

**Urgency Items (“Added Starters”):** The Brown Act permits the City Council to take action on any item that does not appear on the agenda only if 2/3 of the City Council (if all are present) or all members of the Council (if less than all are present) determine there is a need to take immediate action on the item and that the need to take immediate action came to the City Council’s attention after the posting of the agenda.

### **COUNCIL COMMENTS.** Council Member comment’s on items not on the agenda.

| <b>NAME</b>                     | <b>COMMITTEE ASSIGNMENT(S)</b>  |
|---------------------------------|---|
| <b>Mayor Kathleen J. DeRosa</b> | Palm Springs Desert Resorts Convention<br>Cathedral City Senior Center<br>Cathedral City Chamber of Commerce<br>CVAG- Executive Committee<br>CVAG Energy & Environmental Resources<br>League of California Cities-Riverside County<br>Division Executive Board<br>League of California Cities-Transportation and<br>Communication |

|                                     |  |
|-------------------------------------|--|
| <b>Mayor Pro Tem Greg Pettis</b>    | CVAG Transportation Committee<br>Riverside County Transportation Commission<br>SCAG-Regional Council<br>SCAG-Transportation & Communication<br>SCAG- Administration Committee<br>SCAG- Good Movement Task Force<br>SCAG- Southwest Compact Task Force<br>Salton Sea Authority<br>National League of Cities-Steering Committee,<br>Human Development Policy Committee<br>Colorado River Regional Water Quality Control<br>Board- Board Member |
| <b>Council Member Bud England</b>   | Sunline Transit Agency<br>Coachella Valley Animal Campus Committee<br>Palm Springs Unified School District<br>Subcommittee   |
| <b>Council Member Paul Marchand</b> | CVAG-Human & Community Resources<br>Coachella Valley Mountains Conservancy Board<br>SCAG- Energy & Environment<br>Coachella Valley Mosquito & Vector Control<br>District Executive Board<br>Santa Rosa & San Jacinto Mountains National<br>Monument Advisory Committee   |
| <b>Council Member Chuck Vasquez</b> | CVAG- Public Safety<br>Palm Springs Unified School District<br>Subcommittee<br>Cathedral City Boys & Girls Club  |

## **MINUTES**

Approval of minutes from the regularly scheduled City Council/RDA Board meeting held on Wednesday, June 14<sup>th</sup>, 2006.

## **CONSENT AGENDA**

1. Appointment of applicants to serve on various City Commissions/Committees.
2. Approval of final acceptance and approval of the Victoria Drive Safe Route to school Project and release of city-held retention funds to E. A. Mendoza, Inc.
3. Approval of a certificate of completion for the Stewart Family Properties Disposition and Development Agreement dated February 10<sup>th</sup>, 2006.
4. Approval of contract renewal with Hui Lai of Traffic Safety Engineers, Inc., for consulting traffic engineer duties.
5. Approval of joint-city maintenance agreement with the City of Palm Springs for the maintenance of 3 existing traffic signals bordering both Cities on Ramon Road at San Luis Rey, Crossley Road and Landau Boulevard.

6. Adoption of resolutions to renew assessments in fourteen existing Benefit Zones (Zones 1 through 20) with the Maintenance District for Fiscal year 2006-2007. (Street Lighting and Maintenance District No. 1)
7. Approval of resolutions of intention to initiate formation of the proposed Santoro Estates Tract 25804 Landscape and Lighting District No. 1, Benefit Zone 21, (LLD-21)
8. Approval of final parcel map No. 34063: Located on east side of Date Palm Drive, south of 30<sup>th</sup> Avenue: Northgate Church.
9. Approval of final parcel map No. 34511: Located on the north east corner of Ramon Road and Da Vall Drive.

## **PUBLIC HEARINGS**

10. Public Hearing of the City Council for the City of Cathedral City and the Redevelopment Agency Board, regarding the Disposition and Development Agreement between the Agency and Cathedral City Rio Vista Town Centre, LLC.
11. Approval of lease agreement with Daniel Webster, Jr., Ruby J. Harper and Jeff Roberts for space at 68510 East Palm Canyon Drive for Big Mama's soul food restaurant.
12. Approval of first amendment to development agreement by and among the City of Cathedral City Welk Park North, a California General Partnership ("Developer"), and Lawrence Welk's Desert Oasis Vacation Owners Association, Non-Profit Mutual Benefit Corporation ("Association") and introduction of proposed ordinance of the City Council for the City of Cathedral City, approving that certain first amendment to the development agreement by and between the City of Cathedral City, Welk North Park and Lawrence Welk's Desert Oasis Vacation Owners Association. **(First Reading)**

## **LEGISLATIVE ACTION(S)**

13. Approval to award a contract with S. J. & B Group, Inc. to construct the Cove Improvement District 2004-02 Phase 1 Sanitary Sewers, Street Reconstruction, Water Line and Storm Drain Improvements in the amount of \$20,335,000.00.
- 13A. Approval to award and execute a service provider agreement with Landmark Consultants, Inc., to provide material testing services for the Cove Improvement District 2004-02 Phase 1 Sanitary Sewers, Street Reconstruction and Water Line Improvement Project for the not to exceed amount of \$296,892.00.
- 13B. Approval to award and execute a service provider agreement with WEC Corporation to provide part-time Construction Administration Services for the Cove Improvement District 2004-02 Phase 1 Sanitary Sewers, Street Reconstruction and Water Line Improvement Project for the not to exceed amount of \$177,265.76.
- 13C. Approval to award and execute amendment No. 2 to the service provider agreement with Psomas, Inc., to provide Construction Surveying for the Cove Improvement District 2004-02 Phase 1 in the not to exceed amount of \$443,899.00.

- 13D.** Approval to award and execute amendment No. 1 to the service provider agreement with MVR Consulting for additional project administration and construction support services for the Cove Improvement District No. 2004-02 Phase 1 and 2 in the not to exceed amount of \$361,620.00.
- 13E.** Approval to award and execute a service provider agreement with James R. Peters Construction Management and Inspection to provide construction Inspection services for the Cove Improvement District 2004-02 Phase 1 Sanitary Sewers, Street Reconstruction and Water Line Improvement Project in the not to exceed amount of \$489,600.
- 14.** Approval to award contract with Vance Corporation to construct asphalt concrete overlay along Edom Hill Road and portions of Varner Road, reconstruct short reaches of structurally damaged roadway and construct turn pockets on Varner Road at the intersections with Edom Hill Road and Date Palm Drive for the contract bid amount of \$1,219, 929.
- 14A.** Approval to award and execute the Varner Road & Edom Hill Road Street Improvements Construction Inspection Service provider agreement to James R. Peters Construction Management and Inspection for the not to exceed fee amount of \$28,800.
- 15.** Approval of final acceptance and approval of the 35<sup>th</sup> Avenue Assessment District 2003-01 Sewer, Street and Water Line Improvements and release of city-held retention funds to Yeager Skanska, Inc.
- 16.** Approval of Memorandum of Understanding (MOU) with Southern California Housing Development Corporation to submit proposal for development of 7.49 acres for affordable housing.
- 17.** Approval regarding the issuance of 2006 Agency Allocation Bonds.
- 18.** Request for city staff direction for the 30<sup>th</sup> Avenue Soccer Park and allocation of funds for project construction.
- 19.** Adopt and approve supporting resolution for the operating Budget for Fiscal Years 2006-2007 and 2007-2008 for the City of Cathedral City, Redevelopment Agency, the Cathedral City Redevelopment Agency Housing Fund, the Cathedral City Downtown Foundation and a resolution for the Gann Initiative Limit.
- 20.** Receive and file of Cathedral City Benchmark Survey and related findings.
- 21.** Approval of a professional services agreement with Coachella Valley Engineers (CVE) for municipal reorganization services for Cathedral City Project Area No. 1: Sphere of Influence amendment and annexation of approximately 1,265 acres adjacent to and northwest of the City.
- 22.** Approval of a professional services agreement with Coachella Valley Engineers (CVE) for municipal reorganization services for Cathedral City Project Area No. 2: Sphere of Influence amendment and annexation of three separate project areas including two areas currently within the Desert Hot Springs Sphere of Influence, one area within the Rancho Mirage Sphere of Influence and one area considered a County Island.



## **COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS.**

### **ADJOURNMENT**

The next regularly scheduled meeting of the City Council/Redevelopment Agency Board will be adjourned to **WEDNESDAY, JULY 12<sup>TH</sup>, 2006.**

This Agenda is also available for viewing on the City's Web Site. The Web Site address is [www.cathedralcity.gov](http://www.cathedralcity.gov).

### **DECLARATION OF POSTING**

I, Daryl Betancur, CMC, Deputy City Clerk for the City of Cathedral City and Assistant Secretary to the Redevelopment Agency Board for the City of Cathedral City, Assistant Secretary to the Downtown Foundation and Public Financing Authority Boards, ***do hereby certify***, under penalty of perjury under the laws of the State of California, that the foregoing notice for this City Council meeting was hand delivered and faxed to each member of the City Council for the City of Cathedral City; posted on the bulletin board outside City Hall; and faxed to the following organizations: all local media, the Cathedral City Chamber of Commerce, and the Cathedral City public library; all on the 22<sup>ND</sup> day of June, 2006.

---

Daryl Betancur  
Certified Municipal Clerk (CMC)  
Deputy City Clerk